E NEW YORK TIMES, SATURDAY, DECEMBER 14, 1968

Cuban Terrorist Gets 10 Years For Firing on Vessel in Miami

MIAMI, Dec. 13 (AP)—Dr. Orlando Bosch, a former pediatrician, was sentenced today to 10 years in prison for his part in shelling a Polish freighter docked in Miami.

Eight other members of Bosch's Cuban Power band received sentences ranging from one to six years. They were convicted of conspiring to commit acts of war against other nations by plotting to place explosives on ships of nations trading with Premier Fidel Castro's Government.

United States District Judge William O. Mehrtens ordered Bosch and four others to start serving their sentences immediately. A sixth, 30-year-old Jorge Gutierrez, who received five years, was permitted to remain free on bond until Jan. 2 because he is getting married Dec. 27.

The three others, including a woman, were allowed to remain free on appeal.

Melvyn Greenspahn, defense attorney, said he would appeal the convictions to the United States Court of Appeals for the Fifth Circuit in New Orleans.

Fired on Freighter

Bosch, Barbaro Balan and Jose Diaz Morejon were convicted of firing on the Polish freighter Polanica in Miami harbor Sept. 16 with a .57-mm. recoilless rifle. All nine were found guilty of conspiring to attack ships from countries trading with the Castro regime.

Bosch, 42, a former Havana pediatrician and the father of five, was also convicted of sending bombing threats to the heads of state in Spain, England and Mexico. The sentence was 10 years for the Polanica shooting with eight years in other sentences, to run concurrently.

Balan and Diaz Morejon each received six years for the shelling and concurrent five-year terms for conspiracy. Gutierrez and Maaco Rodriguez, both of whose fingerprints were found on a newspaper stuffed into a 33-pound dummy bomb on a British freighter at New Orleans, were sentenced to five years.

Testimony at the trial, which ended Nov. 15, showed the device was a dummy secretly supplied by the Federal Bureau of Investigation through an informer.

Woman Sentenced

Aimee Miranda, 40, drew one year for conspiracy to violate the neutrality of the United States. Other sentences were Jesus Dominguez, 18 months for conspiracy; Paulino Gutierrez, Jorge's father, one year; and Andres Jorge Gonzalez Gonzalez five years, the maximum.

In denying appeal bond for all but three defendants, Judge Mehrtens said:

"These acts of terrorism are stupid. I cannot reasonably see any way to fight Communism in this manner. They are acts of violence directed for propaganda purposes for Bosch to gain power and, perhaps, collect money from other Cubans."

To support the Government's opposition to appeal bond, Michael Crane, an F.B.I. agent, testified that an informant whom he did not name had told him Bosch "is trying to negotiate for bombing at least one additional ship."

Mr. Greenspahn argued that the defendants were fighting "for the same cause for which some 30,000 Americans have died in Vietnam."